**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**

**CIVIL REVISION APPLICATION No. 1599 of 1995**

**For Approval and Signature:**

**THE HON'BLE MR.JUSTICE A.M.KAPADIA**

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| 1 | Whether Reporters of Local Papers may be allowed to see the judgment ? |
| 2 | To be referred to the Reporter or not ? |
| 3 | Whether their Lordships wish to see the fair copy of the judgment ? |
| 4 | Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ? |
| 5 | Whether it is to be circulated to the civil judge ? |

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**BABUBHAI ALIMOHMED MEMAN &2 - Petitioner(s)**

**Versus**

**ABDUL KADAR MUSA - Respondent(s)**

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**Appearance :**

MR YOGESH S LAKHANI for Petitioner No(s).: 1,2.

None for Respondent No(s).: 1.
RULE UNSERVED for Respondent No(s).: 1.

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**CORAM :THE HON'BLE MR.JUSTICE A.M.KAPADIA**

**Date : 30/06/2005**

**ORAL JUDGMENT**

This Court vide order dated 27.4.2005 issued fresh process of rule to respondent No.1 with a further direction that the petitioner shall serve respondent No.1 on or before 30.6.2005, failing which the matter shall stand dismissed for default. The petitioner was also permitted to serve respondent No.1 by substituted service at his own cost.

Today, again the request is made to issue fresh rule. It, therefore appears that the petitioner has not complied with the order dated 27.4.2005 which in terms stipulated that the petitioner shall serve respondent No.1 on or before 30.6.2005, failing which the matter shall stand dismissed for default. It appears that the petitioner has failed to serve respondent No.1 on or before 30.6.2005.

In aforesaid view of the matter, this Court has no option except to dismiss the petition for want of service. The petition is therefore dismissed for default. Rule is discharged.

(A.M.Kapadia,J)

Jayanti*